

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

D.C.D. Company, LLC,

Plaintiff,

vs

Case No: 04-72944
Honorable Victoria A. Roberts

Bank of America, et al,

Defendants and Third Party Plaintiffs,

vs

Allan R. Michel,

Third Party Defendant.

**ORDER PARTIALLY LIFTING STAY, SETTING A DISCOVERY
SCHEDULE AND TELEPHONE CONFERENCE**

On March 7, 2005, this Court entered an Order staying proceedings pending the outcome of various criminal proceedings involving third party defendant Allen Michel. While some of the criminal matters have resolved at the trial level, Mr. Michel has an appeal pending. The appeal involves matters that are pertinent to this litigation and which implicate Mr. Michel's Fifth Amendment rights.

On August 17, 2006, the Court held a telephone conference with counsel. Attending were: Robert Jackson representing the Plaintiff, Jenice Mitchell representing Defendants/Third Party Plaintiffs and Arthur Weiss representing Allan Michel.

Based on the discussion held, the Court will partially lift the stay. The parties can engage in discovery; however, Mr. Michel cannot be called upon to answer any discovery until his criminal matter has been finally resolved.

The parties may engage in initial discovery until: January 8, 2007

A telephone conference is scheduled for: Monday, January 22, 2007 at 4:00 p.m.

The Court will initiate the call.

IT IS SO ORDERED.

/s/ Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: August 22, 2006

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on August 22, 2006.

s/Linda Vertriest
Deputy Clerk